

FILED  
HARRISBURG, PA

SEP 26 2018

In the United States District Court  
for the Middle district of Pennsylvania

PER DU  
DEPUTY CLERK

Joshua A Monighan Taxpayer,

Plaintiff

v

Tom Wolf Governor  
Commonwealth of Pennsylvania

Defendant

No. 1:18-cv-1654

Judge Jones

1067

Brief in support of Plaintiffs Joshua A Monighan's  
Motion for Summary Judgment

Joshua A Monighan Taxpayer  
6363 Basehore Rd  
Mechanicsburg PA 17050  
1717 319 8014  
Jmonighan@gmail.com

*[Handwritten signature]* *taxpayer*

Procedural History

2021

On, July 31st I Joshua A Monighan Taxpayer, Petitioned my Governor Tom Wolf, and the Robert Torres of the department of state, the Attorney generals office were subsequently served a copy commonwealth court was also notified of the extension to the Nomination Period, due to the cause of excess rain fall and unsettled weather patterns, un forecasted weather, Effecting the Commonwealth during the 2018 period. The disposition of the petition for extension was sough out by the petitioner and the office did transmit a denial over the phone, but was unable to assert a genuine reason for the denial at that time. resulting in August 9th Exhibit "B" where in Commissioner Johnithan Marks fails to show a genuine reason for the denial by any answer. It is important to note at this point in time the agency had raised no reasons to lack of understanding of the Petition and the Cause of the Petition made apparent by the Denial.

Under the burden of non disclosure by the Governors authority, I Joshua A Monighan Taxpayer, on August 21st have Petitioned the United States Federal Court as my primary court for redress, given the nature of the complaint, Free and Fair Elections, Equal treatment, of Qualified elector by nomination practice in the commonwealth.

After 20 days of Ignorance of the Federal complaint by the Office, the Plaintiff did move for Summary Judgment on Tom Wolf Governor on the basis of Default.

## Summary of Facts

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France in 1860's had colonized Vietnam but, they Lost their colonies, they did not have fair nomination process as was these United States were created.

Extension of time for the most vital resource, that is "public discourse".

Judicial practices in other nations are comprised of palace cou. In Our Nation We have the First Amendment, We seldom use our Second amendment right as a result.

But in Vietnam war both democrats and Republicans stayed the war, and the Chicago 7 was the appellate court that over tuned the inditement of the Protesters proving Merit of there claim, An Independent group opposing the war developed the Idea of an End.

march 13 1968 linden b Johnson "i will not seek nor will I accept my parties nomination for another term as president."

Ugean McCarthy one issue and no delegates won 5 of 10 counties to ended the war.

Knowing it was going to destroy his political care, Hubert Humphrey took over, to continue the war.

There after the Nixon DNC water gate scandal, effecting Free and Fair Elections.

As was then a big deal, Today, the nomination process is vital organ for all americans.

the signal issue with 43% of the vote split the counties like in New Hampshire.

Impeachment can remove a governor or president with out a shot. Public discourse is the most vital and precious resource available to Freedom and Liberty Truth and Justice in this Nation. when in other nations palace Cou is the protocol for over turn.

The United States government did use weather warfare against the vitamins on the ho chi minh trail. There has been no Palace Cou in america after the assignation of Kennedy, like the events of 100 years before of Lincoln and McKinley and more recently

4087

the attempt of Ronald Reagan assination attempt by Hinkly could have lead to Cou by a premature Bush presidency.

On July 31st the Petition for An Extension to the third party nomination process was sought due to impact the 2018 weather had on the Qualified electors free and fair elections. This was clearly described on petition before the end of the Normal circulation Period.

The allegations against the defendant are simple, and the Authority of the Office would normally allow for Granting of the request for extension for Circulators hindered by weather, as seen in the past by the Office, an extension of some fashion to allow relief for those involved in the in the elections precess warranted by weather, likewise the nomination process in the Commonwealth was effected by the weather in 2018. In pursuit of a Fair election in 2018 Governor Tow Wolf was given opportunity of significant time to act given the abilities of the office, where the Governor Failed or Refused to act. On redress , refused respond or answer by the office. If the Governor did act timely in good faith of the qualified elector, by granting a 14 day extension the 9 to 11 day's of the extension would have been rained out following August 1st. see supplemental record M, Abc News.

see Affidavit ( No Answer 9-12-2018) No attorney of Record, the petitioner was not given an answer to the complaint against Tom Wolf's failure to extend.

then under Default of court rules on the September 11th 2018 Attorney keil Neary made a motion to dismiss in an expired period. The Motion to dismiss is with out standing. see Affidavit of No attorney of record 9-12-2018.

The Brief in support to dismiss by tom wolf, the summary of facts Proves abilities of the

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Commonwealth to intelligize the petition as it relates to weather and to the relief mechanism an extension of the nomination circulation period.

On september 12th 2018 the Petitioner filed a Motion of summary Judgment resulting in this brief, after contacting Keli Neary via email for concurrence of summary Judgement, Counsel still does Not concur, see email (september 11th for consurance )

Oral argument for a Genuine reason offered by the Agency office for the benefit of the Qualified elector, was encouraged and allowed by the Petitioner.

Move to dismiss as a result of default in far from a Genuine reason, or

Keli Neary's Meritless request of the Court to dismiss, the example should remain intact to expose the tactics of Tom Wolf's Office under Default.

#### Questions presented

1)

Was the given 20 days to Answer the Complaint filed on August 21 enough time?

The office did correspond under default, a day late. See Eatery of Appearance and Motion to dismiss dated september 11th 2018 filed with this case caption with the Federal Clerk by KN, that proves the Office is in default by a Full day. As a result of the delinquency, the complaint was not answered in fact it was ignored. Is we can not read is a way of stating we are ignoring this legally?

2)

We can only question if the cause of the weather in the Commonwealth of Pennsylvania in 2018 was a result of manipulation by the russians, Chinese, or even the Vietnamese?

We know Weather Manipulation is a common practice by the United states of America

6027

having technology to do so as seen in Foreign cases. see Operation Popeye. PopEye  
Vitmanm 1967 Ho Chi Minh Trail.

3)

We do not know what number of days or percentages of cold or percentage of rain or  
total amount of rain or percentage increase of rain on average, warrants an extension of  
a nomination period? The Governor failed to respond or answer with a genuine reason  
for the denial. We were ignored when the office had opportunity to establish reasons for  
the denial withstanding the facts of the complaint, weather and its results.

4)

Is Ignorance of the 20 day response time grounds of Summary Judgement in this case?

#### Argument

There has not been any Genuine issues timely raised by the defendant to be addressed  
in oral argument by the defendant. Although Keli Neary was given the Option by the  
Moving party. See Concurrence 9-11-2018, Further she couldn't as she made  
appearance outside the time to respond or raise the issue, now raised under default.  
The argument of the threat of rain, the display of rain and number of days of rain, the  
percentage of the rain per day has hindered have not been addressed by the Office.  
The free flow of ideas resulting from the relief mechanism sought by petition was an  
extension as a response or answer to the Original Petition described in the complaint,  
Wolf failed to extend, and he failed to answer.

They have no answer to what the text stated in the written petition.

The time for a response ended september 10th 2018.

#### Conclusion

7 of 7

The Petition was clear, An extension or an answer should have been made. Failure or selective ignorance has caused default by the Office.

Judgment based on default should be made by the Federal Court.

relief sought

Extension of fair number days should be granted to the nomination period or other means to gain access to the ballot.

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1 of 2

Brief in support of Plaintiffs Joshua A Monighan's  
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Certificate of Concurrence

Verizon 3G 2:36 PM  
Personal Hotspot: 1 Connection

< 268

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**Re: Monighan v. Wolf (MDPa) 18-1654 -  
Governor's Motion to Dismiss Federal  
Lawsuit**

September 11, 2018 at 11:59 PM

Dear Keli M Neary,

I am responding to your correspondence where you state you were delighted the responsibility of decisions regarding case 1:18 01654 pa Md.

In the motion to dismiss suggested as good for the commonwealth, and the qualified elector, you failed to state any ground for the filing. Please clarify, so I can accurately respond to the proposed motion.

Are you asking for an extension from the court to reply, and to allow for oral argument, if this is the facts a Motion to that extent could be lodged in the benefit if the qualified elector if you concern?

Also notice;



Also notice;

I will be filing a motion for judgment by default in lawsuit against Governor Wolf. The Court's Local Rules require that I attempt to obtain your concurrence in my motion. I will note your non-concurrence with the Court. If you, however, *do* concur, kindly let me know and I will update my certificate with the Court.

*Wolf*  
*2/23*

On the grounds.

It has been 21 days and your client Tom Wolf has not responded in any fashion until now by you.

Sincerely,  
Joshua A Monighan Taxpayer  
Please call directly for resolution, Mail box is full.  
1717 319 8014

Sent from my iPhone

On Sep 11, 2018, at 2:33 PM, Neary, Keli  
<kneary@attorneygeneral.gov> wrote:

Good afternoon, Mr. Monighan,

Shortly, I will be filing a motion to dismiss your lawsuit against Governor Wolf. The Court's Local Rules require that I attempt to obtain your concurrence in my motion. I will note your non-concurrence with the Court. If you, however, *do* concur, kindly let me know and I will update my certificate with the Court.

Sincerely,

~ Keli

**Keli M. Neary**  
Chief Deputy Attorney General  
Office of Attorney General  
Civil Law Division - Litigation Section  
15<sup>th</sup> Floor, Strawberry Square  
Harrisburg, PA 17120  
(717) 787-1180 - Direct  
(717) 772-4526 - Fax

I did attempt to contact in the same fashion deemed acceptable by example by the Commonwealth Governors Counsel in this case.

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Certificate of Compliance

I do hereby certify the continence of the brief contains 1423 words

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supplemental record

Exhibit M ABC News delaware Valley 5 pages

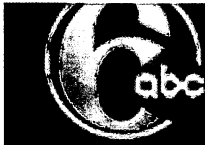
Exhibit N New York Times Rainmakeing 1 page

Exhibit O Operation Popeye 3 pages



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6abc.com

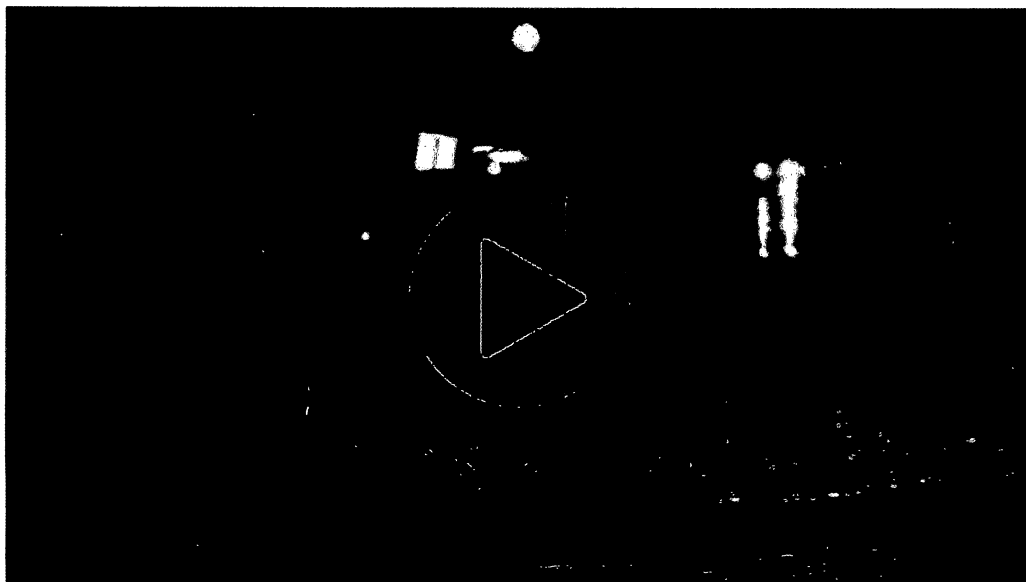


WEATHER

# WATER RESCUES, FLOODED ROADS AS FLASH FLOODS OVERTAKE PARTS OF DELAWARE VALLEY



Tuesday, August 14, 2018 06:19AM





"M"2

6abc.com



Two bystanders and three Upper Darby police officers came to the rescue of a grandmother who was trapped on the hood of her van in almost five feet of water.

Darby Borough declared a State of Emergency after the Darby Creek crested over its banks. The 900 block of Main Street was flooded and multiple water rescues were required to get residents to safety.

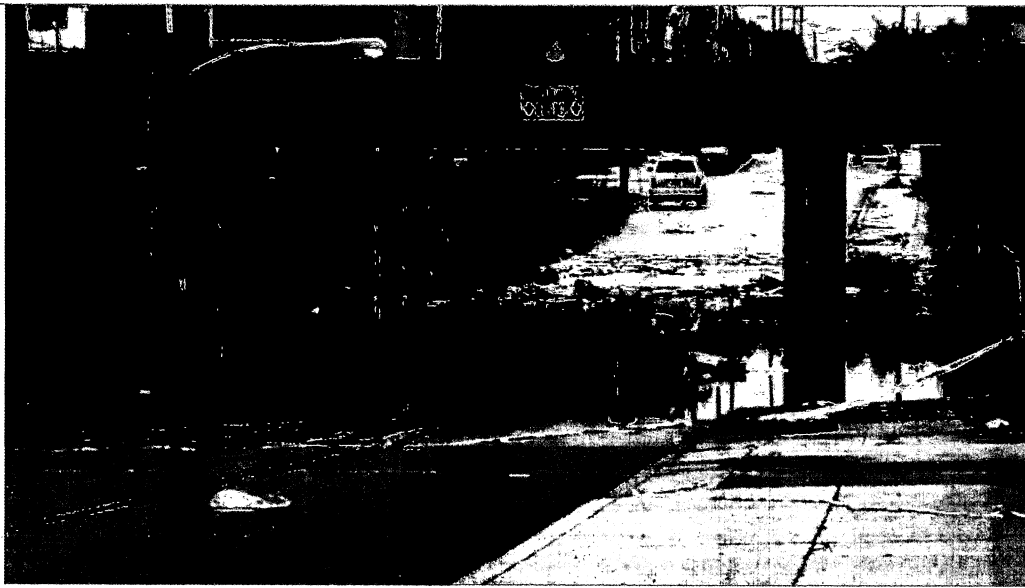


Darby Borough in State of Emergency following flash flooding



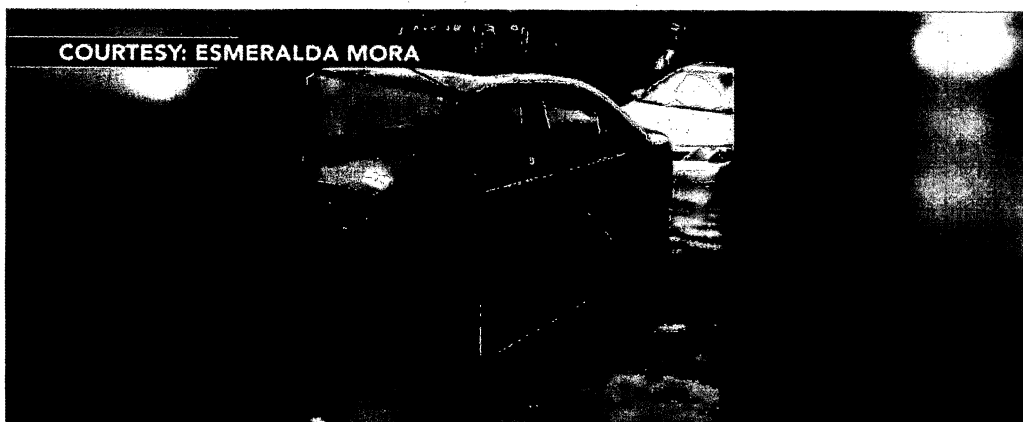


"M"3



Flooding around the city of Philadelphia following heavy rains: Trish Hartman reports on Action News at 4 p.m., August 13, 2018

The south end of Kensington was also awash Monday, with the streets on and around Randolph and Master filled with floodwater, swamping cars and rising at least shin deep.

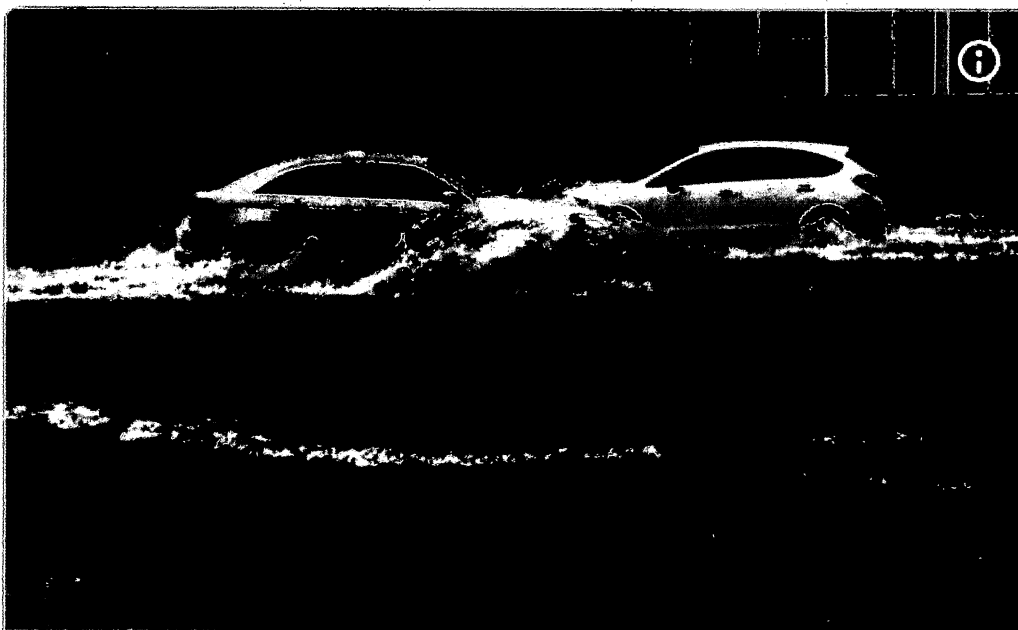




🔒 google.com

M<sup>a</sup>y

Meteorologist Adam Joseph reported flooding on Lancaster Avenue in Wayne, with a reminder that first responders have been repeating throughout the day: don't drive through standing water, especially if you can't see the ground.

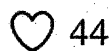
**Adam Joseph** ✓

@6abcadamjoseph



FLOODING.....Lancaster Ave Wayne Pa.  
Please be careful and do not do with these cars  
are doing, so dangerous

8:24 AM - Aug 13, 2018



44



17 people are talking about this





M's



**Upper Darby Police**   
@UDPolice



**Marshall Road**

11:24 AM - Aug 13, 2018

114 77 people are talking about this





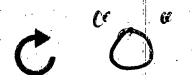
# The New York Times



## Rainmaking Is Used As Weapon by U.S.

By SEYMOUR M. HERSH JULY 3, 1972





## THIS DAY IN HISTORY

MARCH 03 

1965

# Ho Chi Minh Trail



The Ho Chi Minh Trail was a military supply route running from North Vietnam through Laos and Cambodia to South Vietnam. The route sent weapons, manpower, ammunition and

**verizon**✓

Fios customers, save  
with Verizon Wireless.



## Operation Popeye



Operation Popeye was a highly classified weather modification program in Southeast Asia during 1967–1972. The cloud seeding operation during the Vietnam War ran from March 20, 1967 until July 5, 1972 in an attempt to extend the monsoon season, specifically over areas of the Ho Chi Minh Trail.

Wikipedia

Dates: Mar 20, 1967 – Jul 5, 1972

### VIDEOS FROM THE WEB

YouTube · Anonymous Gui



Operation Popeye Weather Warfare in Vietnam

Facebook



Global March Geoengineeri

# Operation Popeye



**Operation Popeye (Project Controlled Weather Popeye / Motorpool / Intermediary-Compatriot)** was a highly classified weather modification program in Southeast Asia during 1967–1972. The cloud seeding operation during the Vietnam War ran from March 20, 1967 until July 5, 1972 in an attempt to extend the monsoon season, specifically over areas of the Ho Chi Minh Trail. The operation was used to induce rain and extend the East Asian Monsoon season in support of U.S. government efforts related to the War in Southeast Asia.

The former U.S. Secretary of Defense, Robert S. McNamara, was aware that there might be objections raised by the international scientific community but said in a memo to the president that such objections had not in the past been a basis for prevention of military activities considered to be in the interests of U.S. national security.

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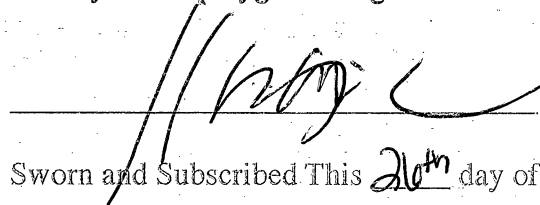
Certificate of Service

I Joshua A Monighan plaintiff for relief hereby certify that on september 26th 2018 I  
cause to be served s ture and correct copy of the forgoing document titled Brief in  
support of Plaintiffs Joshua A Monighan's Motion for Summary Judgment

Via US mail and Email.

Keli M Neary  
Office of Attorney General  
15th floor, Strawberry Square.  
Harrisburg PA 17120  
1717 787 1180

kneary@attorneygeneral.gov



Sworn and Subscribed This 26<sup>th</sup> day of

September 2018 in the Commonwealth of Pennsylvania County of

Cumberland

By 